



REMARKS

The Examiner stated, "Please note that although Applicant has stated that claims 1-25 are to be examined, there are no amendments in the national stage application canceling claims 26-29. Note that the specie election herein is on pending claims herein, i.e., 1-29."

In the preliminary amendment the claims were renumbered. Claims 1-14 were the same as originally filed. Original claims 15 and 16 were merged in amended claim 15, original claims 18 and 20 were merged into amended claim 17. Original claim 17 was renumbered as claim 16 and original claim 19 was renumbered as claim 18. Original claims 21 and 22 were replaced with amended claims 19 and 20. Claims 20 and 29 were not examined since they were omnibus claims.

As indicated in the preliminary amendment claims 1 and claim 19 are independent claims. Claims 1-18 are directed to an injectable reversible contraceptive while claims 19-25 are directed to a process for preparation of such contraceptive.

Further, in this office action the Examiner stated, "This application contains claims directed to more than one species of the generic invention. The species are deemed to lack unity of invention because they are not so linked as to form a general inventive concept under PCT Rule 13.1

The species are as follows:

All species of hydrogel class of polymers.

Applicant is required, in reply to this action, to elect a single species, a particular polymer where the sequence of identity is clearly defined, to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election."

Applicant wishes to draw the Examiner's attention to line 5 and 6 of claim 1. Claim 1 clearly and sufficiently narrows down the generic name "polymers" to the "hydrogel class of polymers" and "PARTICULARLY" to a "mixture of styrene maleic anhydride copolymer and styrene maleic acid copolymer". The styrene maleic anhydride copolymer and styrene maleic acid copolymer are "specific copolymers" and not "generic copolymers" as considered by the Examiner.

These species relate to a single generic inventive concept as required under PCT Rule 13.1 and as considered by the IPEA-EPO during the international examination. Please refer to IPER.

The present species of copolymers are not restricted by general nature of polymers, such as blocked, branched chain, random, cross-linked, graft etc.

The mixture of styrene maleic anhydride copolymer and styrene maleic acid copolymer find support in the description in lines 14-19, page 11, as amended before the IPEA. The contraceptive polymer, in accordance with the present invention,

is one having electrical charge and pH lowering properties (line 24, amended page 11). The selected hydrogel class of polymers swells and invaginates into folds of the lumen to help retention but does not adhere to tissue thereby allowing scope for removal as main object of the present invention. The particular hydrogel class of polymers is a mixture of specific "styrene maleic anhydride copolymer" and "styrene maleic acid copolymer". (lines 19-23, page 13).

The specific styrene maleic anhydride copolymer can be prepared by the process known in the art or as disclosed in the US Patent No. 5,488,075 (lines 11-13, page 15).

The specific styrene maleic acid copolymer can be prepared from styrene maleic anhydride copolymer either by the process known in the art or by the process disclosed in the description. (lines 13-23, page 15).

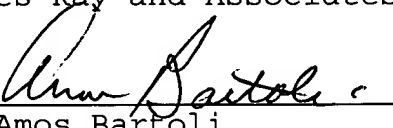
In view of the above submissions it is submitted that any further limitation of claim 1 would unduly restrict the scope of the claimed invention.

The above submissions also clarify that dependent claims dependent on claim 1, that is claims 3-18, and claims 19-25 as filed along with the US national phase application are not generic in nature, but specific, because of selection of specific mixtures of specific copolymers, the ratio of which has been defined in dependent claim 2.

Accordingly, the search may be based on the specific copolymers defined in claim 1.

In the event the Examiner has further difficulties with the examination and/or allowance of the application, she is invited to contact the undersigned agent for applicant by telephone at (412) 380-0725, if necessary, to resolve any remaining questions or issues by interview and/or Examiner's Amendment as to any matter.

Respectfully submitted,
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